

116TH CONGRESS
1ST SESSION

H. R. 1947

IN THE SENATE OF THE UNITED STATES

MAY 22, 2019

Received

AN ACT

To amend title 38, United States Code, to exempt transfers of funds from Federal agencies to the Department of Veterans Affairs for nonprofit corporations established under subchapter IV of chapter 73 of such title from certain provisions of the Economy Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. EXEMPTION OF CERTAIN TRANSFERS.**

4 Section 7364(b)(1) of title 38, United States Code,
 5 is amended by adding at the end the following new sen-
 6 tence: “Any amounts so transferred after September 30,
 7 2016, shall be available without regard to fiscal year limi-
 8 tations, notwithstanding section 1535(d) of title 31.”.

9 **SEC. 2. IMPROVEMENTS TO ASSISTANCE FOR CERTAIN**
 10 **FLIGHT TRAINING AND OTHER PROGRAMS**
 11 **OF EDUCATION.**

12 (a) USE OF ENTITLEMENT FOR PRIVATE PILOT’S LI-
 13 CENSES.—Section 3034(d) of title 38, United States Code,
 14 is amended—

15 (1) in paragraph (1) by striking the semicolon
 16 and inserting the following: “and is required for the
 17 course of education being pursued (including with
 18 respect to a dual major, concentration, or other ele-
 19 ment of a degree); and”;

20 (2) by striking paragraph (2); and

21 (3) by redesignating paragraph (3) as para-
 22 graph (2).

23 (b) ACCELERATED PAYMENTS FOR FLIGHT TRAIN-
 24 ING.—Section 3313 of such title is amended by adding
 25 at the end the following new subsection:

1 “(1) ACCELERATED PAYMENTS FOR CERTAIN
2 FLIGHT TRAINING.—

3 “(1) PAYMENTS.—An individual enrolled in a
4 program of education pursued at a vocational school
5 or institution of higher learning in which flight
6 training is required to earn the degree being pursued
7 (including with respect to a dual major, concentra-
8 tion, or other element of such a degree) may elect
9 to receive accelerated payments of amounts for tui-
10 tion and fees determined under subsection (c). The
11 amount of each accelerated payment shall be an
12 amount equal to twice the amount for tuition and
13 fee so determined under such subsection, but the
14 total amount of such payments may not exceed the
15 total amount of tuition and fees for the program of
16 education. The amount of monthly stipends shall be
17 determined in accordance with such subsection (c)
18 and may not be accelerated under this paragraph.

19 “(2) EDUCATIONAL COUNSELING.—An indi-
20 vidual may make an election under paragraph (1)
21 only if the individual receives educational counseling
22 under section 3697A(a) of this title.

23 “(3) CHARGE AGAINST ENTITLEMENT.—The
24 number of months of entitlement charged an indi-
25 vidual for accelerated payments made pursuant to

1 paragraph (1) shall be determined at the rate of 2
2 months for each month in which such an accelerated
3 payment is made.”.

4 (c) FLIGHT TRAINING AT PUBLIC INSTITUTIONS.—

5 Subsection (c)(1)(A) of such section 3313 is amended—

6 (1) in clause (i)—

7 (A) by redesignating subclauses (I) and
8 (II) as items (aa) and (bb), respectively;

9 (B) by striking “In the case of a program
10 of education pursued at a public institution of
11 higher learning” and inserting “(I) Subject to
12 subclause (II), in the case of a program of edu-
13 cation pursued at a public institution of higher
14 learning not described in clause (ii)(II)(bb)”;
15 and

16 (C) by adding at the end the following new
17 subclause:

18 “(II) In determining the actual net
19 cost for in-State tuition and fees pursuant
20 to subclause (I), the Secretary may not
21 pay for tuition and fees relating to flight
22 training.”; and

23 (2) in clause (ii)—

1 (A) in subclause (I), by redesignating
2 items (aa) and (bb) as subitems (AA) and
3 (BB), respectively;

4 (B) in subclause (II), by redesignating
5 items (aa) and (bb) as subitems (AA) and
6 (BB), respectively;

7 (C) by redesignating subclauses (I) and
8 (II) as items (aa) and (bb), respectively;

9 (D) by striking “In the case of a program
10 of education pursued at a non-public or foreign
11 institution of higher learning” and inserting
12 “(I) In the case of a program of education de-
13 scribed in subclause (II)”;

14 (E) by adding at the end the following new
15 subclause:

16 “(II) A program of education de-
17 scribed in this subclause is any of the fol-
18 lowing:

19 “(aa) A program of education
20 pursued at a non-public or foreign in-
21 stitution of higher learning.

22 “(bb) A program of education
23 pursued at a public institution of
24 higher learning in which flight train-
25 ing is required to earn the degree

1 being pursued (including with respect
 2 to a dual major, concentration, or
 3 other element of such a degree).”.

4 (d) CERTAIN PROGRAMS OF EDUCATION CARRIED
 5 OUT UNDER CONTRACT.—Section 3313(c)(1)(A)(ii)(II) of
 6 title 38, United States Code, as added by subsection
 7 (c)(2)(E), is amended by adding at the end the following
 8 new item:

9 “(cc) A program of education
 10 pursued at a public institution of
 11 higher learning in which the public in-
 12 stitution of higher learning enters into
 13 a contract or agreement with an enti-
 14 ty (other than another public institu-
 15 tion of higher learning) to provide
 16 such program of education or a por-
 17 tion of such program of education.”.

18 (e) APPLICATION.—

19 (1) IN GENERAL.—Except as provided by para-
 20 graph (2), the amendments made by this section
 21 shall apply with respect to a quarter, semester, or
 22 term, as applicable, commencing on or after the date
 23 of the enactment of this Act.

24 (2) SPECIAL RULE FOR CURRENT STUDENTS.—

25 In the case of an individual who, as of the date of

1 the enactment of this Act, is using educational as-
 2 sistance under chapter 33 of title 38, United States
 3 Code, to pursue a course of education that includes
 4 a program of education described in item (bb) or
 5 (cc) of section 3313(c)(1)(A)(ii)(II) of title 38,
 6 United States Code, as added by subsections (c) and
 7 (d), respectively, the amendment made by such sub-
 8 section shall apply with respect to a quarter, semes-
 9 ter, or term, as applicable, commencing on or after
 10 the date that is 2 years after the date of the enact-
 11 ment of this Act.

12 **SEC. 3. PROVISION OF INSCRIPTIONS FOR SPOUSES AND**
 13 **CHILDREN ON CERTAIN HEADSTONES AND**
 14 **MARKERS FURNISHED BY THE SECRETARY**
 15 **OF VETERANS AFFAIRS.**

16 (a) IN GENERAL.—Section 2306 of title 38, United
 17 States Code, is amended by adding at the end the fol-
 18 lowing new subsection:

19 “(j)(1) In addition to any other authority under this
 20 section, in the case of an individual whose grave is not
 21 in a covered cemetery (as that term is defined in sub-
 22 section (f)(2)) and for whom the Secretary has furnished
 23 a headstone or marker under subsection (a) or (d), the
 24 Secretary, if feasible and upon request, may replace the
 25 headstone or marker to add an inscription for the sur-

1 living spouse or eligible dependent child of such individual
2 following the death of the surviving spouse or eligible de-
3 pendent child.

4 “(2) If the spouse or eligible dependent child of an
5 individual referred to in paragraph (1) predeceases the in-
6 dividual, the Secretary may, if feasible and upon request,
7 include an inscription for the spouse or dependent child
8 on the headstone or marker furnished for the individual
9 under subsection (a) or (d).”.

10 (b) APPLICATION.—Subsection (j) of section 2306 of
11 title 38, United States Code, as added by subsection (a),
12 shall apply with respect to an individual who dies on or
13 after October 1, 2019.

14 **SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.**

15 The budgetary effects of this Act, for the purpose of
16 complying with the Statutory Pay-As-You-Go Act of 2010,
17 shall be determined by reference to the latest statement
18 titled “Budgetary Effects of PAYGO Legislation” for this
19 Act, submitted for printing in the Congressional Record
20 by the Chairman of the House Budget Committee,

- 1 provided that such statement has been submitted prior to
- 2 the vote on passage.

Passed the House of Representatives May 21, 2019.

Attest: CHERYL L. JOHNSON,
Clerk.